

REMARKS

Of claims 1-19 pending in this application claims 5-19 have been withdrawn, claim 1 has been amended, and new claim 20 has been added. Reconsideration of this application in view of this response is respectfully requested.

Claims 1-4 stand rejected under 35 USC §102 (b) as being anticipated by Eames. The examiner states that Eames shows the use of a plurality of flexible layers having a flexible pad therebetween. Amended claim 1 now requires at least 3 flexible layers of non-uniform stiffness and a plurality of flexible pads where there is a flexible pad contained between adjacent flexible layers. As Eames does not contain at least three flexible layers of a non-uniform stiffness having a plurality of flexible pads each located between adjacent flexible layers, amended claim 1 cannot be anticipated by Eames. In addition, Eames does not teach a layer having a cutout section for accommodating the ischial tuberosities, as necessary in new claim 20. Thus, it is submitted that claim 1 and 20 are not anticipated by Eames. As claims 2-4 depend from claim 1, it is believed that these claims are patentable if claim 1 is patentable.

Claims 1-3 also stand rejected under 35 USC §102 (e) as being anticipated by Robinson. The examiner states that Robinson shows the use of a plurality of flexible layers having a flexible pad therebetween. Amended claim 1 now requires at least three flexible of non-uniform stiffness and a plurality of flexible pads where there is a flexible pad contained between adjacent flexible layers. There is no teaching in Robinson that the flexible layers are of non-uniform stiffness, that there are at least three flexible layers, or that there is a flexible pad located between adjacent flexible layers, or of a layer having a cutout for accommodating the ischial tuberosities. Thus, it is submitted that amended claim 1 and new claim 20 cannot be anticipated by Robinson. As claims 2 and 3

depend from claim 1, it is believed that these claims are patentable if claim 1 is patentable.

It is also submitted that Eames and Robinson, either taken alone or in combination, do not render claims 1 and 20 obvious, as there is no teaching or suggestion in either reference of the desirability of using at least three flexible layers of non-uniform stiffness having flexible pads between each adjacent flexible layer, or to have a layer with a cutout section for accommodating the ischial tuberosities. This arrangement allows for better distribution of the pressure when a person sits in the sling seat.

The other prior art references of record have been reviewed, and it is believed that they, either taken alone or together, do not render the current claims of this application unpatentable for either anticipation or obviousness.

As the total number of claims does not exceed twenty, it is believed that no additional fees are due.

For the reasons given above, it is believed that all action claims currently claimed in this application are in condition for allowance, and such favorable action is respectfully requested.

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on Aug. 21, 2003.

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